



Kathleen Sebelius, Governor  
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH  
AND ENVIRONMENT

www.kdheks.gov

Division of Environment

## Permit Application

### Livestock Waste Management Program

**Instructions: PLEASE PRINT.** Complete and provide all information as requested. Attach all drawings and plans to this application. If you need assistance with completing this form please call (785) 296-6432 or your local KDHE District Office. Mail completed application to:

**LIVESTOCK WASTE MANAGEMENT SECTION  
KDHE - BUREAU OF WATER  
1000 SW JACKSON STREET, SUITE 420  
TOPEKA, KS 66612-1367**

#### Department Use Only

Facility ID No. \_\_\_\_\_

Certification No. \_\_\_\_\_

Permit No. A-CME-H003

Date Permit Application Complete: \_\_\_\_\_

Permit Fee: ☒ Yes ☐ No *AR*

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NOV 17 2008

BUREAU OF WATER

**NOTICE: Failure to provide all required documentation at the time of submission of this permit application will result in the entire permit package being returned to the applicant for completion.**

#### FACILITY IDENTIFICATION

1. Name of Applicant: Kansas - Smith Farms, LCC Date: 11-14-08

Name of Property owner(s) (if different than Applicant): \_\_\_\_\_

2. Name of Facility: Farm 11 Finishing

3. Mailing address: 23179 #5 Road

City: Plains State: KS Zip: 67869

4. Facility address (if different): 3100 AA Road

City: Plains State: KS Zip: 67869

5. Business Telephone No.: 620-563-7226 Home Telephone No.: \_\_\_\_\_

Cellular Telephone No.: \_\_\_\_\_ Fax No.: 620-563-9278

E-Mail address: \_\_\_\_\_

hereby makes application to the Kansas Department of Health and Environment in conformance with K.S.A. 65-171d et seq. and K.A.R. 28-18-1 through 17, and/or 28-18a-1 through 33.

PAID

CK NO. 2228 \$ 100.00

DATE 11-14-08

FACILITY DESCRIPTION	
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**6. Legal description of property where facility is located:**

11	5 ↓ N 1/2	8	34 South	30 Circle: E or W	Meade
Facility ID	Quarter(s)	Section	Township	Range	County
Facility ID	Quarter(s)	Section	Township South	Range Circle: E or W	County
Facility ID	Quarter(s)	Section	Township South	Range Circle: E or W	County

Directions from nearest city or town Plains – 11 miles South, and ½ mile West

**7. The existing, proposed, and/or expanded livestock operation will consist of:** (please indicate Existing or Proposed)

Open Lots	<u>E</u> Enclosed Bldg.	Both Open/Closed	Truck Wash	Other
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**8. Existing and/or proposed waste control systems:** (please indicate Existing or Proposed)

E Lagoon   E Sedimentation Basin   \_\_\_\_\_ Concrete Storage Structure

Other (explain) \_\_\_\_\_

**9. Are there any local comprehensive land use plans or zoning requirements at this site?**

Yes                      No    X

If yes, please explain:

**10. Indicate the type and size of equipment available for: 1) land application, and 2) transportation of process waste (in any form: liquid, slurry, or solid), and for each piece of equipment whether it is owned, leased, or contractor provided:**

<b>Equipment Description</b> (55 hp tractor, high lift, pto driven pump, manure wagon, honey wagon, center pivot, traveling gun, etc.)	<b>Equipment Purpose</b> (transportation, collection, land application, agitate manure in basin, etc.)	<b>Capacity</b> (gallons per minute, gallons, bushels, acres, cubic yards, etc.)	Owned (O), Leased (L), or Contractor=s (C)
Center Pivot	Land Application		Farmer Owned
Traveling Gun	Land Application		Owned
2 – Propane Engines	Transportation		Owned
1400’ Aluminum Pipe	Transportation		Owned

## ANIMAL UNITS CALCULATION TABLE

Please complete the table below. Be certain to identify all the types of animals that you have at your facility. Each pig, weaned or unweaned, weighing less than 55 pounds must be counted as 0.1 animal units. Similarly, for permitting purposes, dairy facilities must count calves and heifers weighing less than 700 pounds as 0.5 animal units and bulls, and heifers weighing more than 700 pounds as 1.0 animal units. Lactating and dry dairy cattle should be counted as 1.4 animal units, etc.

(A)	(B)	(C)	(D)	(E)
Type of Facility	Maximum Permitted Capacity (Head)	Proposed Expansion or New (Head)	AU Conversion Factor	Maximum Animal Units (B+C) x D
Swine weighing more than 55 pounds	4,800	1,280	0.4	2,432
Swine weighing 55 pounds or less			0.1	
Cattle weighing more than 700 pounds			1.0	
Cattle weighing less than 700 pounds			0.5	
Mature Dairy Cattle (Lactating and Dry)*			1.4	
Sheep/Lambs/Goats			0.1	
Turkeys*			0.018	
Laying Hens/Broilers w/ continuous overflow watering			0.01	
Laying Hens/Broilers w/ liquid manure system*			0.033	
Chickens (other than Laying Hens) w/ other than liquid manure system* <sup>1</sup>			---	
Laying Hens w/ other than liquid manure system*			---	
Horses			2.0	
Ducks w/ liquid manure system			0.2	
Ducks w/ other than liquid manure system			---	
Other-specify species _____				
Total				2,432

\*EPA thresholds requiring an NPDES permit are 1,000 AU of any species except for the following: 700 head of Mature Dairy Cattle, 55,000 head of Turkeys, 30,000 head of Laying Hens/Broilers w/ liquid manure system, 125,000 head of Chickens other than laying hens w/ other than liquid manure system, and 82,000 Laying Hens w/ other than liquid manure system.

<sup>1</sup> Use a 0.033 AU conversion factor if the manure, from chicken facilities that only use dry litter systems, is exposed to precipitation during collection, when stored in stockpiles, or land applied without incorporation into the soil within 12 hours, etc.

**ANNUAL PERMIT FEE**

When a permit is required the annual permit fee is based on the facility=s maximum number of animal units as listed below and **must be paid before processing** of the permit and annually to maintain the validation of the permit. These fees are non-refundable.

Facility Size in Animal Units (AU)	Annual Permit Fee
999 AU or less	\$25
1,000 to 4,999 AU	\$100
5,000 to 9,999 AU	\$200
10,000 AU or more	\$400
Private Truck Washing Facility (two or fewer owned trucks)	\$25
Private Truck Washing Facility (three or more owned trucks)	\$200
Commercial Truck Washing Facility	\$320

**PLEASE MAKE CHECK PAYABLE TO:  
KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT**

**SIGNATURE/CERTIFICATION**

**Swine Facility Consultation Statement:** (if applicable)

I, Alfred Smith, will consult with the KSU county extension agent, or qualified  
(Applicant=s Name)

agronomist or individual trained in crop protection, to ensure application of swine wastes at agronomic rates and that records of this information will be available at the swine facility office as prescribed in K.S.A. 65-1,179(b)(3)(E).

**Applicants Signature:** \_\_\_\_\_

**Date:** 11/14/08

**Permit Application Certification:** (required for all species)

This application is to be signed by one of the following: (1) In the case of a corporation, by the principal executive officer of at least the level of Vice President; (2) in the case of a partnership, by a general partner; and (3) in the case of a sole proprietorship, by the proprietor.

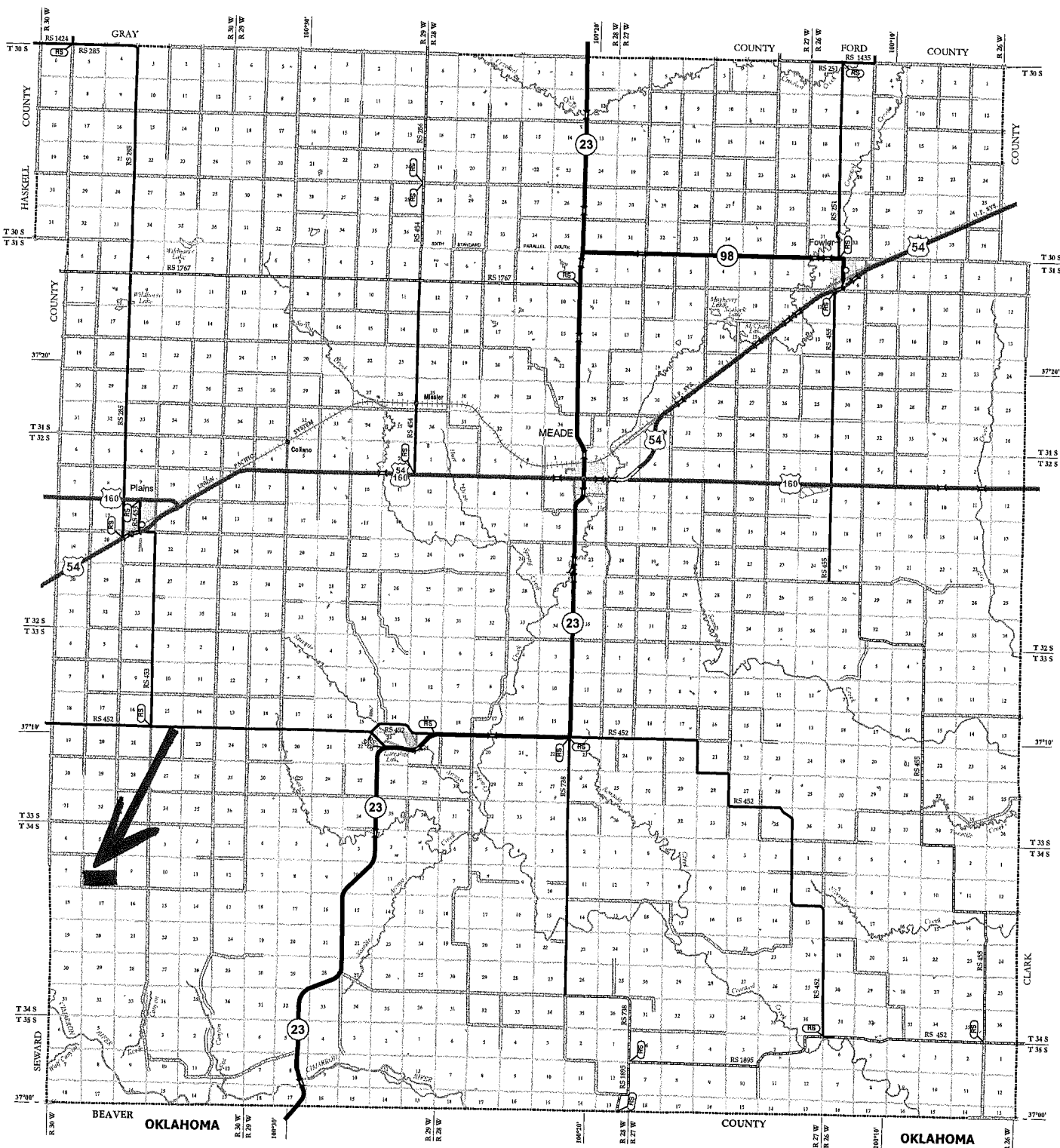
I hereby certify that the information submitted herein is true and correct to the best of my knowledge and belief:

**Applicants Name:** Alfred Smith, Operation Manager

(Type or Print Name and Title)

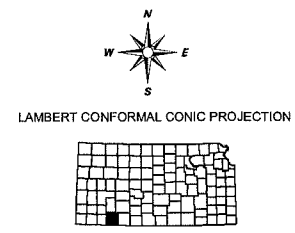
**Applicants Signature:** \_\_\_\_\_

**Date:** 11/14/08



LEGEND

ROADS AND ROADWAY FEATURES	ROAD SYSTEM DESIGNATION
Controlled Access - Interstate	Rural Secondary System
Kansas Turnpike (KTA)	Interstate Numbered Highway
US Route - Controlled Access	U.S. Numbered Highway
US Route - Divided	State Highway System or State Numbered Highway
US Route - Undivided	End of Designated System or Marked Route
State Route - Divided	Kansas Turnpike Authority
State Route - Undivided	
RS Route - Divided	
RS Route - Paved	
RS Route - Unpaved	
Minor Road - Stone or Gravel	
Minor Road - Soil	



GENERAL HIGHWAY MAP  
**MEADE COUNTY**  
 KANSAS  
 PREPARED BY THE  
 KANSAS DEPARTMENT OF TRANSPORTATION  
 BUREAU OF TRANSPORTATION PLANNING  
 IN COOPERATION WITH THE  
 U.S. DEPARTMENT OF TRANSPORTATION  
 FEDERAL HIGHWAY ADMINISTRATION

1 0 1 2 3 4 Miles

COMPUTER GENERATED

RS SYSTEM REVISED TO NOVEMBER 4, 2003

October 2008

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Mark Parkinson, Governor  
Roderick L. Bremby, Secretary

DEPARTMENT OF HEALTH  
AND ENVIRONMENT  
Division of Environment

[www.kdheks.gov](http://www.kdheks.gov)

## **Nutrient Utilization Plan Form**

### **Livestock Waste Management Program**

You must complete this form if you have a swine facility with a capacity of 1,000 animal units or more and waste from your swine facility is applied to land. This completed form and the required attachments must be approved by the Kansas Department of Health and Environment (KDHE) before a National Pollutant Discharge Elimination System (NPDES) Permit will be issued to a swine facility.

**Instructions: PLEASE PRINT.** Complete and provide all information as requested. If you need assistance with completing this form please call (785) 296-6432 or your local KDHE District Office. Mail the completed form and required attachments with your Nutrient Management Plan to:

**LIVESTOCK WASTE MANAGEMENT SECTION  
KDHE - BUREAU OF WATER  
1000 SW JACKSON STREET, SUITE 420  
TOPEKA, KS 66612-1367**

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**JUN 12 2010**

**BUREAU OF WATER**

### **FACILITY INFORMATION**

Alfred Smith			6-8-10
Operator Name			Date
Kansas-Smith Farms, LLC Farm 11			A-CIME-H003
Facility Name			Kansas Permit Number
3100 AA Road			
Facility Address			
Plains	KS	67869	Meade
City	State	Zip code	County
23179 #5 Road			
Mailing Address			
Plains	KS	67869	
City	State	Zip code	
NUP Consultant			Phone number

## REQUIRED ATTACHMENTS

For this NUP to be considered complete and ready for the department to review, the applicant must provide the following documentation. Additional guidance on specific components is available upon request through the Department. Please call (785) 296-6432 or go on-line at [www.kdheks.gov/feedlots/](http://www.kdheks.gov/feedlots/) for assistance.

1. *NUP ver3.4.xls* worksheets:
  - a. List of fields with acreages, legal descriptions, and land owner names and addresses – *Fields*
  - b. Worksheets for each field showing application rate calculations – *Input, Worksheet, and SM-Analysis*
  - c. Summary of maximum application rates projected for the next five years – *Summary*.
2. Copies of laboratory soil analysis results for each field included in the NUP
3. Copies of laboratory manure analysis results for all livestock waste sources
4. Signed *Soil Sampling Certification* forms for each soil sample taken

## ITEMS TO BE KEPT ON FILE AT THE FACILITY OFFICE

1. Included with your approved Nutrient Management Plan:
  - a. Site maps for the intended location(s) of waste application.
  - b. Copies of all landowner agreements for any land application fields that are not owned by the swine facility and are included in the NUP.
2. Included with your Annual Report:
  - a. Copies of annual soil analysis reports for fields included in the NUP.
  - b. Copies of the waste analysis reports for waste being applied to fields included in the NUP.
  - c. Rates, methods of application, frequency, and timing of application of waste to each field.
  - d. The amounts (lbs per acre) of nitrogen, phosphate, and other nutrients applied to each field from sources other than swine waste.
3. Included with your Operations Report:
  - a. Precipitation records and amounts of irrigation and other water applied.
  - b. Records of maintenance and calibration of all land application equipment.
4. A copy of the conservation plans for applicable fields included in the NUP.
5. Names of employees and contractors identified to supervise the process of transferring manure or wastewater to land application equipment and the process of land application, and records of training for all personnel who supervise and conduct the land application of manure or wastewater.

## AMENDMENTS TO YOUR NUP

Following approval of the initial plan, future changes are to be attached as amendments and submitted with your Annual Report. The following NUP changes must be approved prior to implementation (The following changes will also require submission of an updated NMP):

1. A swine facility's permit is no longer valid but the facility plans to seek a new permit.
2. Additional land to which waste will be applied is not described in the currently approved plan.

3. A procedure for waste application will be used that is not described in the currently approved plan.
4. Land included in an approved NUP is no longer available for nutrient application because of a change in the legal characteristics of the land previously identified in the plan.
5. A phosphorus soil analysis result exceeds the phosphorus holding capacity of the soil in a field as prescribed in K.A.R. 4-21-7.

<b>SWINE WASTE LAND APPLICATION RESTICTIONS</b>
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Swine facilities that are required to have a NUP shall not apply manure or wastewater:

1. To any land application areas where soil tests indicate that the phosphorus holding capacity of the soil is exceeded, as defined by K.A.R. 4-21-7.
2. To bare ground within 1,000 feet of any habitable structure, wildlife refuge or city, county, state or federal park unless:
  - a. It is incorporated into the soil the same day,
  - b. The manure or wastewater has been subjected to physical, biological, or biochemical treatment, or other treatment method for odor reduction approved by KDHE,
  - c. The manure or wastewater is applied with innovative treatment or application that is best available technology for swine facilities and best management practices for swine facilities or other technology approved by KDHE,
  - d. The owner of the habitable structure has provided a written waiver to the facility.
3. To land classified as highly erodible on the basis of erosion resulting from water runoff, except where soil conservation practices to control erosion and runoff are followed and identified in the facility's NUP and NMP.
4. During precipitation events or to frozen, snow covered, or saturated ground.
5. Within 100 foot of any down-gradient surface water, open tile line intake structure, sinkhole, agricultural well head, or other conduits to surface water. As a compliance alternative, the facility may substitute the 100-foot setback with a 35-foot wide vegetative buffer on which applications of manure, litter, or process wastewater are prohibited, or may demonstrate that a setback or buffer is not necessary because implementation of alternative conservation practices or field-specific conditions will provide pollutant reductions equivalent or better than the reductions that would be achieved by the 100-foot setback.

<b>SIGNATURE</b>
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**Your signature on this form attests to your agreement to comply with these statements and warrants that the statements are truthful. The person who signs this form must be authorized by the facility to bind the facility to all the terms and conditions of the nutrient utilization plan.**

Name: Melissa Langhofer, ESHR Manager  
 \_\_\_\_\_  
 (Type or Print Name and Title)

Signature: \_\_\_\_\_ Date: 6-8-10